

**REMARKS**

In the March 19, 2007 Office Action, the Examiner noted that claims 1-20 are pending in the application; did not consider items AM, AN and AO in the July 31, 2006 Office Action due to copies of non-patent literature allegedly not being submitted; rejected claims 1, 2, 4-6, 9-11, 13-15 and 18-20 under 35 U.S.C. § 102(b) as being anticipated by Krueger et al. (U.S. Patent No. 6,195,735 B1); rejected claims 7, 8, 16 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Krueger et al. in view of Hanawa et al. (U.S. Patent No. 5,269,007); and rejected claims 3 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Krueger et al. in view of Dean (U.S. Patent No. 5,544,342). Claims 1-20 are currently pending in this case. The rejections are traversed below.

**Rejection under 35 U.S.C. § 102(b)**

Claims 1, 2, 4-6, 9-11, 13-15 and 18-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Krueger et al. (U.S. Patent No. 6,195,735 B1).

The Applicant kindly thanks the Examiner for the Interview of June 20, 2007. In the Interview, we stressed that Krueger et al. discusses suppressing a prefetch request, which differs from "ignoring the branch target instruction when a branch does not occur", as recited in the independent claims. The Examiner agreed that the above feature recited in the independent claims distinguishes over the cited art. The Examiner indicated he will perform a new prior art search and issue either a non-final Office Action or a Notice of Allowance, depending on his findings.

Claims 2, 4-6 and 9 depend from claim 1 and add further limitations thereto. Thus, the arguments above with respect to claim 1 also apply to these claims.

Claim 10 recites "prefetching the branch target instruction when a branch is ensured to occur by executing the branch instruction, while ignoring the branch target instruction when a branch does not occur" (lines 9-11). Thus, claim 10 also distinguishes over Krueger et al.

Claims 11, 13-15 and 18 depend from claim 10 and add further limitations thereto. In view of the above, these claims also distinguish over Krueger et al.

Claim 19 recites "prefetching the branch target instruction when a branch is ensured to occur by executing the branch instruction, and ignoring the branch target instruction when a branch does not occur" (lines 7 and 8). Thus, claim 19 also distinguishes over Krueger et al.

Claim 20 recites "means for ignoring the branch target instruction when a branch does not occur" (line 9). Thus, claim 20 also distinguishes over Krueger et al.

In view of the above, it is respectfully submitted that the rejection is overcome.

#### **Rejections under 35 U.S.C. § 103(a)**

Claims 7, 8, 16 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Krueger et al. in view of Hanawa et al. (U.S. Patent No. 5,269,007).

Claims 7 and 8 depend from claim 1 and add further limitations thereto. Claims 16 and 17 depend from claim 10 and add further limitations thereto. Hanawa et al. and Krueger et al., both individually and in combination, fail to render these claims unpatentable.

In view of the above, it is respectfully submitted that the rejection is overcome.

Claims 3 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Krueger et al. in view of Dean (U.S. Patent No. 5,544,342)

Claim 3 depends from claim 1 and adds further limitations thereto. Claim 12 depends from claim 10 and adds further limitations thereto. Dean and Krueger et al., both individually and in combination, fail to render these claims unpatentable.

In view of the above, it is respectfully submitted that the rejection is overcome.

#### **Summary**

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 6/21/7

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